

REMARKS

Upon entry of the present amendment, the claims will have been amended, claim 3 will have been canceled without prejudice or disclaimer of the subject matter, and new claims 15- 22 will have been submitted for consideration by the Examiner.

Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections set forth in the above mentioned Official Action in view of the herein contained amendments and remarks. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicants respectfully thank the Examiner for acknowledging their claim for foreign priority under 35 U.S.C. § 119 as well as for confirming that all of the certified copies of the foreign priority documents, upon which the above noted claim for foreign priority is based, have been received.

Applicants additionally respectfully thank the Examiner for indicating his consideration of the documents brought to his attention in the Information Disclosure Statement filed the present application on May 9, 2006, by the return of a signed and appropriately annotated copy of the PTO-1449 Form attached thereto.

However, Applicants note that the Examiner has crossed out a number of foreign documents that were cited in the International Search Report and indicated that these documents were not available for consideration. The Examiner's indication (i.e. non-consideration) is respectfully submitted to be inappropriate and incorrect. In this regard, Applicants note that in the Information Disclosure Statement filed in the present application on May 9, 2006, Applicants pointed out that a copy of the International Search Report, that issued in connection with

International Patent Application No. PCT/JP2004/011789, was enclosed together with the papers submitted when entering the U.S. National Stage on February 9, 2006. Further, in the Information Disclosure Statement, Applicants noted that copies of the above noted documents should have been forwarded to the U.S. Patent and Trademark Office by the International Bureau and that, thus, copies of these documents are not being provided with the above noted Information Disclosure Statement in order to avoid duplication of effort and waste of resources. Applicants additionally noted that if any copies are needed, the Examiner is respectfully requested to contact the undersigned who would then endeavor to provide the Examiner with duplicate copies of these documents.

Moreover, Applicants respectfully note that each of the above noted documents that were crossed out by the Examiner on the signed PTO-1449 Form corresponds to a U.S. Patent Application Publication that has been indicated as considered by the Examiner. Nevertheless, Applicants respectfully request the Examiner to complete the record in the present application by indicating his consideration all the foreign documents cited in the International Search Report, which were properly brought to the Examiner's attention and that were listed in the PTO-1449 Form that was attached to the above noted Information Disclosure Statement.

In spite of the above, should the Examiner still not be able to obtain copies of these cited foreign documents, the Examiner is respectfully requested to contact the undersigned, who will endeavor to provide duplicate copies to the Examiner.

In the outstanding Official Action, the Examiner did not indicate any objections to the specification, drawings, or declaration of the present application. Nevertheless, Applicants respectfully request that the Examiner complete the record in the present application by

explicitly indicating that the drawings filed in the present application have been accepted by the Examiner.

In the outstanding Official Action the Examiner rejected claims 1, 2, 4, 5, and 12-14 under 35 U.S.C. § 102 (b) as being anticipated by NGUYEN (U.S. Patent No. 6,424,074). Claims 7-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over NGUYEN view of HUNT et al. (U.S. Published Patent Application No. 2002/0167374).

Claims 3, 6, and 11 were objected to as being dependent upon a rejected base claim. However, the Examiner indicated that these claims would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

By the present response, Applicants have amended the claims to, inter alia, rewrite each of claims 3 and 11 into independent form. Accordingly, at least based upon the Examiner's indication, each of the claims in the present application has now been placed in condition for allowance. By rewriting the objected to claims into independent form, Applicants do not in any manner indicate their acquiescence in the propriety of the above noted rejections. Rather, Applicants are merely rewriting the objected to claims into independent form in order to expedite the allowance of claims drawn to aspects of the invention disclosed in the present application.

In amending the present claims, Applicants have also revised the language thereof to ensure and enhance the clarity as well as to more closely conform the language of the claims to conventional English language idiom, syntax, and grammar.

By the present response, Applicants have submitted a number of additional dependent claims. These newly submitted dependent claims correspond to the dependent claims presently in the application, but depend from independent claim 11. Accordingly, consideration and an

indication of the allowability of all the claims of the present application is respectfully requested
in due course.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the claims to clarify the recitations thereof as well as to rewrite several claims indicated to contain allowable subject matter into independent form.

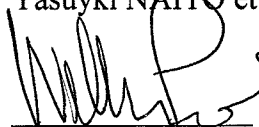
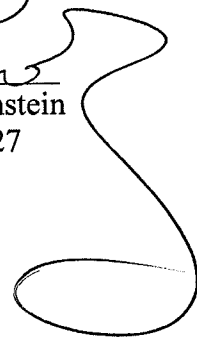
Applicants have additionally noted the Examiner's non-consideration of several properly cited documents in the Official Action of May 5, 2006 and have requested the Examiner to cite such documents in the next official communication in the present application, to complete the record herein.

At least in view of the above noted rewriting of claims indicated to contain allowable subject matter into independent form, Applicants respectfully submit that all the claims in the present application are now in condition for allowance and Applicants respectfully request an indication to such effect, in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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August 5, 2008
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